

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

MAHPEVANA'HANE LORNE
BEARCOMESOUT,

Plaintiff,

vs.

WARDEN MCTIGHE; CAPTAIN
WIRSHING; ASSISTANT WARDEN
NELSON; D.O.C. CONTRACT BED
MONITOR, MS. ALSTAD; MR.
TROMBLEY; CHAPLAIN
JOHNSON; CHIEF SECURITY
OFFICER MADRID; CORE CIVIC
OF AMERICA,

Defendants.

CV 21-0068-GF-BMM-JTJ

ORDER ADOPTING FINDINGS
AND RECOMMENDATIONS

United States Magistrate Judge John T. Johnston entered his Findings and Recommendations in this case on April 1, 2022. (Doc. 18.) Judge Johnston recommended that the Court grant Defendant Alstad and Defendant Trombley's Partial Motion to Dismiss, (Doc. 16), and that Plaintiff Bearcomesout's claim for injunctive relief against Defendant Alstad and Defendant Trombley in their official capacity should be dismissed. (Doc. 18 at 7.)

No party has filed an objection to the Findings and Recommendations. The Court has reviewed Judge Johnston's Findings and Recommendations for clear

error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). The Court finds no error in Judge Johnston's Findings and Recommendations and adopts them in full.

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 18) are **ADOPTED IN FULL**. Defendant Alstad and Defendant Trombley's Partial Motion to Dismiss (Doc. 16) is **GRANTED**. Plaintiff Bearcomesout's claim for injunctive relief against Defendant Alstad and Defendant Trombley in their official capacity is **DISMISSED**.

Dated the 25th day of May, 2022

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court